

# August 8, 2023

## Seward County Board of Equalization

State of Nebraska)  
County of Seward) ss.

A regular meeting of the Seward County Board of Equalization was convened in open and public session at 8:30 a.m. on August 8, 2023 in the Commissioner's room at the Seward County Courthouse. Notice of the meeting was posted on the Courthouse bulletin board and on the Commissioner's Room door. The agenda for all meetings is kept continually current and is available for public inspection at the County Clerk's Office during normal business hours. The agenda is held open until one business day prior to the meeting for appearance before the Board. The Board of Equalization has the right to modify the agenda to include items of an emergency nature only at such public meeting.

The Seward County Board of Equalization convened on August 8, 2023 at 8:30 a.m.

Present: Chairperson: John Culver  
Members: Misty Ahmic, Raegan Hain, Ken Schmieding, Darrell Zabrocki  
Deputy County Clerk: Brandy Johnson  
County Assessor: Marilyn Hladky

The Chairperson noted that the public meeting information is posted as required by law and available for public distribution if requested.

The Pledge of Allegiance was recited.

Moved by Schmieding and seconded by Ahmic to approve the minutes of July 25, 2023.  
Affirmative Vote: Schmieding, Ahmic, Zabrocki, Hain, Culver Motion Carried

Moved by Zabrocki and seconded by Ahmic to approve Tax List Correction 415-20R for Ricky Joe Cradick and Cradick Pork for a Correction on Non-Ag Tax Credit.  
Affirmative Vote: Zabrocki, Ahmic, Hain, Schmieding, Culver Motion Carried

Moved by Hain and seconded by Zabrocki to approve Tax List Correction 416-22R for Southeast Community College for Accelerated 2023 Taxes on a house being moved to Saline County.  
Affirmative Vote: Hain, Zabrocki, Schmieding, Ahmic, Culver Motion Carried

Moved by Zabrocki and seconded by Hain to approve Tax List Correction 101-22P for Jerry Roth to Accelerate 2023 Taxes on Personal Property Ag Equipment.  
Affirmative Vote: Zabrocki, Hain, Ahmic, Schmieding, Culver Motion Carried

Hladky spoke to the Commissioners about a valuation protest.

Hladky updated the Commissioners on activities of her office.

### **Known items on the agenda for Board of Equalization on August 22, 2023 are as follows:**

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of August 8, 2023
4. Discuss/Action – Assessor Information Update

Moved by Zabrocki and seconded by Hain to adjourn the Board of Equalization meeting for August 8, 2023.

Affirmative Vote: Zabrocki, Hain, Schmieding, Ahmic, Culver

Motion Carried

Time of adjournment was 8:44 a.m.

State of Nebraska)  
County of Seward) ss.

I, Sherry Schweitzer, the undersigned County Clerk of Seward County, Nebraska do hereby certify the foregoing minutes are true and are part of the official records of this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 22<sup>nd</sup> day of August 2023.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairperson

## August 8, 2023 Seward County Board of Commissioners

State of Nebraska)  
County of Seward) ss.

A regular meeting of the Seward County Board of Commissioners was convened in open and public session at 9:00 a.m. on August 8, 2023 in the Commissioner's room at the Seward County Courthouse. Notice of the meeting was posted on the Courthouse bulletin board and on the Commissioner's Room door. The agenda for all meetings is kept continually current and is available for public inspection at the County Clerk's Office during normal business hours. The agenda is held open until one business day prior to the meeting for appearance before the Board. The Board of Commissioners has the right to modify the agenda to include items of an emergency nature only at such public meeting.

The Seward County Board of Commissioners convened on August 8, 2023 at 9:00 a.m.

Present: Chairperson: John Culver

Members: Misty Ahmic, Raegan Hain, Ken Schmieding, Darrell Zabrocki

Deputy County Clerk: Brandy Johnson

The Chairperson noted that the public meeting information is posted as required by law and available for public distribution if requested.

The Pledge of Allegiance was recited.

Moved by Zabrocki and seconded by Schmieding to approve the minutes of August 1, 2023.

Affirmative Vote: Zabrocki, Schmieding, Ahmic, Hain, Culver

Motion Carried

Gary Petersen, Seward/York County Emergency Manager, updated the Commissioners on activities of his office.

Terry Wicht, Highway Superintendent, updated the Commissioners on activities of his department.

Wicht spoke to the Commissioners regarding the 9:05 a.m. agenda item "County Gravel Road Conditions East of Highway 15 on Old Mill Road, 154<sup>th</sup> Road, 168<sup>th</sup> Road, Branched Oak Road, Waverly Road and Bluff Road." Bryce Nolde, who requested the agenda item, was not present for the discussion. Wicht reported that he had checked all of the roads in question. Hain

suggested Wicht take pictures of the current road conditions and document what needs to be done to fix them.

Commissioner Ahmic led discussion on appointing a member to the Veterans Committee. She stated that action was not taken in 2021 to appoint Peggy Brown to the committee, although she has been active in this position since then. This is to retroactively appoint this member until 2026. Ms. Brown gave an explanation on her role as a veteran and current board member.

Moved by Ahmic and seconded by Hain to appoint Peggy Brown to the Veterans Committee for the term of 2021 to 2026.

Affirmative Vote: Ahmic, Hain, Schmieding, Zabrocki, Culver

Motion Carried

### **Commissioner Reports:**

Commissioner Ahmic reported she has been working with the Veterans Committee, worked on Public Transit grants, has had information regarding the solar sight by Ruby brought to her attention, and encouraged the rest of the board to visit the sight, met with Commissioner Hain and Matt Howell, who is Senator Jana Hughes' aide, attended a National Association of County Officials (NACO) district planning meeting, attended a Broadband Task Force Meeting, met with the Highway Superintendent, attended the Milford City Council meeting and was invited to a National NACO conference called Counties for Kids in Milwaukee, but will not be able to attend.

Commissioner Hain reported she met with Matt Howell, who is Senator Jana Hughes' aide, met with the Aging Services Director, attended the Beck Seed open house and ribbon cutting ceremony, completed employee evaluation paperwork, visited with the road department, visited with a constituent, is working with Middle Creek Printing on Road Department shirts and jackets to be paid out of American Rescue Plan Act (ARPA), will work with road department on tire grant project, and is working with communities on Aging Services Advisory board members.

Commissioner Culver reported he worked on Blue Valley Community Action correspondence, completed employee evaluations, and drove multiple roads.

Commissioner Schmieding reported he attended the Beck Seed open house and ribbon cutting, completed an employee evaluation, and was involved in a road discussion between a constituent, the city, and the county.

Commissioner Zabrocki reported he attended the Seward City Council meeting, attended the Broadband Task force meeting, attended an annual BRIDGES meeting, did an employee evaluation, attended a Nebraska Intergovernmental Risk Management Association (NIRMA) round table discussion, visited with a constituent, the city, and the county regarding a road issue, worked with the Highway Superintendent and a landowner and checked abandoned cemeteries.

Commissioner Zabrocki led the discussion on the Lights for the Courthouse Silhouette lighting. Vinny Bittinger, with Magical Lights LLC, was present for the discussion. He stated that he has visited with Corey Mueller, who has done the electrical work for the Courthouse. He believes that after visiting with Corey, the bid that was initially presented will need to be changed, as the product wouldn't be sufficient for this project. He stated that it would be a financial savings to use the same lights as the rest of the downtown lighting. Ahmic spoke in favor of the Illuminate Seward project but stated that she prefers a more traditional look for the Courthouse. Bittinger stated he could do some research and find vendors that would be better options to meet the specific criteria the Board would like, as it is not his area of expertise. It was decided to table this discussion for the time being. Bittinger will research potential vendors.

Commissioner Hain led the discussion on the office space re-organization for the Road Department, Aging Services, Zoning/Weed Department and the Veterans Service Office. She drafted a drawing of a potential new layout that would provide space in the West Wing for

Aging, Public Transit and Veterans. Discussion was then held on moving the Highway Superintendent office spaces to the second floor of the Courthouse where the Zoning/Weed Department Office is currently located and moving Zoning/Weed to the third floor of the Courthouse in the former County Court Office that is currently being used for Building & Grounds supplies. Heidi Fleischman, Road Department Administrative Assistant, asked about IT issues such as servers and printers. Culver stated he would like to table this discussion until a layout has been drawn up for the Courthouse re-organization and a plan has been made for relocating furniture.

The Commissioners recessed at 10:50 a.m.  
The Commissioners re-convened at 10:55 a.m.

Moved by Zabrocki and seconded by Hain to approve an additional 1% of Restricted Funds for the 2023-2024 Budget.

Affirmative Vote: Zabrocki, Ahmic, Schmieding, Hain, Culver Motion Carried

Moved by Ahmic and seconded by Hain to adopt Resolution No. 3768 for levy allocation to Ag Society for \$375,000.00, J Precinct Cemetery Association for \$1,770.00, Pleasant Dale Cemetery Association for \$1,630.00 and Seward County Fire District for \$909,689.92.

**RESOLUTION # 3768 OF THE  
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Pursuant to State Statute § 77-3443, each County Board shall adopt a Resolution by a majority vote of members present which determines a final allocation of levy authority to its political subdivisions, AND,

WHEREAS, political subdivisions as defined in § 77-3443 (1)(a) as "all political subdivisions *other* than school districts, community colleges, natural resource districts, educational service units, cities, villages, counties, municipal counties, rural and suburban fire protection districts that have levy authority pursuant to subsection (10) of section 77-3442, and sanitary and improvement districts", AND,

WHEREAS, the political subdivisions may levy taxes as provided by law, provided they do not collectively total more than fifteen cents per one hundred dollars of taxable valuation on any parcel or item of taxable property for all governments for which allocations are made by the County, AND,

WHEREAS, on or before August 1st, all political subdivisions subject to county levy authority must submit a preliminary request for levy allocation to the County Board, AND,

WHEREAS, failure of a political subdivision to submit a preliminary request shall preclude the political subdivision from using the procedures set forth in §77-3444 to exceed the final levy allocation, AND,

WHEREAS, Seward County has four such political subdivisions, namely: Seward County Agricultural Society, Seward County Fire District, Pleasant Dale Cemetery District and J Precinct Cemetery District, AND,

WHEREAS, the following requests were received on or before the August 1, 2022:

Seward County Agricultural Society Funding Request: \$ 375,000.00

Pleasant Dale Cemetery District Funding Request: \$ 1,770.00

J Precinct Cemetery District Funding Request: \$ 1,630.00

Seward County Fire District Funding Request: \$ 909,689.92 and,

WHEREAS, included in the above request from the Seward County Fire District is a request to include \$80,000 in Seward County's five cent levy allocation allowed by law for Interlocal Agreements, and \$147,525.00 for their Bond Fund, AND,

WHEREAS, § 77-3343 provides that the County Board shall review and approve or disapprove the funding or levy request by September 1<sup>st</sup> of the current year.

NOW, THEREFORE, BE IT RESOLVED: That the Seward County Board of Commissioners hereby designate the following levy allocations pursuant to Nebraska State Statute § 77-3443 as follows:

	<u><b>A Tax Request of:</b></u>	
Seward County Agricultural Society:	\$	375,000.00
Pleasant Dale Cemetery District	\$	1,770.00
J Precinct Cemetery District	\$	1,630.00
Seward County Fire District	\$	909,689.92

FURTHER, A copy of this resolution is to be provided to the chairperson of the governing body of each of its political subdivisions.

Dated this 8<sup>th</sup> day of August 2023.

Moved by: Ahmic                      Seconded by: Hain  
Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic, Raegan Hain,  
John K. Culver, Chair of the Board  
Attest: Brandy M. Johnson, Deputy County Clerk

Affirmative Vote: Ahmic, Hain, Zabrocki, Schmieding, Culver                      Motion Carried

Moved by Schmieding and seconded by Zabrocki to accept the Clerk of the District Court Fee Report for July 2023 in the amount of \$5,768.54.

Affirmative Vote: Schmieding, Zabrocki, Hain, Ahmic, Culver                      Motion Carried

Moved by Zabrocki and seconded by Schmieding to accept the County Clerk Fee Report for July 2023 in the amount of \$29,688.00.

Affirmative Vote: Zabrocki, Schmieding, Ahmic, Hain, Culver                      Motion Carried

Moved by Hain and seconded by Ahmic to accept the Sheriff Fee & Mileage Report for June 2023 in the amount of \$1,301.00 & \$850.96 respectively.

Affirmative Vote: Hain, Ahmic, Schmieding, Zabrocki, Culver                      Motion Carried

Moved by Ahmic and seconded by Zabrocki to adopt Resolution No. 3769 to authorize the Chairman and the Board to sign the County Annual Certification of Program Compliance for Nebraska Department of Transportation.

**Do not recreate or revise the pages of this document.** as revisions and recreations will not be accepted. Failure to **return both pages of the original document** by the filing deadline (October 31, 2023) may result in the suspension of Highway Allocation funds until the documents are filed.

## **RESOLUTION**

### **SIGNING OF THE COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2023**

Resolution No. 3769

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.

**Be it resolved** that the County Board Chairperson of Seward County is hereby authorized to sign the County Annual Certification of Program Compliance.

Adopted this 8<sup>th</sup> day of August, 2023 at Seward Nebraska.

County Board Members

Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic, Raegan Hain,  
John K. Culver, Chair of the Board

County Board Member Ahmic

Moved the adoption of said resolution

Member Zabrocki Seconded the Motion

Roll Call: 5 Yes 0 No 0 Abstained 0 Absent

Resolution adopted, signed, and billed as adopted.

Attest: Brandy M. Johnson, Deputy County Clerk

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**COUNTY**  
**ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE**  
**TO**  
**NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS**  
**AND STANDARDS 2023**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requiring annual certification of program compliance to the Board of Public Roads Classifications and Standards, the County of Seward hereby certifies that it:

- ✓ Has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ Meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ Expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ Uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ Uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ Uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ Uses an accounting system that tracks equipment operation costs;
- ✓ Has included in its public records the information required under subsection (2) of section 39-2510; and
- ✓ **Has included in its public records a copy of this certification and the resolution of the governing body authorizing the signing of this certification by the County Board Chairperson.**

John K. Culver, County Board Chairperson 08/08/2023

Terry J. Wicht, County Highway Superintendent 08/03/2023

**Return the completed original signing resolution and annual certification of program compliance by October 31, 2023 to:**

Nebraska Board of Public Roads Classifications and Standards  
PO Box 94759  
Lincoln NE 68509

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Affirmative Vote: Ahmic, Zabrocki, Schmieding, Hain, Culver Motion Carried  
Commissioner Ahmic stated that there were no new items to discuss for the Infrastructure Related Grants.

The Board held discussion on the 2023-2024 Fiscal Year Budget.

The Board recessed at 11:51 a.m. to go to the Justice Center for the quarterly jail inspection.

Commissioner Ahmic is absent at 11:51 a.m.

The Commissioners re-convened at the Justice Center at 12:06 p.m.

The Commissioners conducted a jail inspection with Commissioners Hain, Zabrocki, Schmieding and Culver present.

**Known items on the agenda for Board of Commissioners on August 15, 2023 are as follows:**

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of August 8, 2023
4. Discuss/Action – Claims for the period through August 4, 2023

**Other Business Matters to Address When Time Allows**

5. Discuss/Action – Public/Officials/Boards
6. Commissioners Reports
7. Discuss/Action – Infrastructure Related Grants
8. Discuss/Action – Disbursement of American Rescue Plan Act (ARPA) Funds for Road Dept Apparel
9. Discuss/Action – Budget discussion on 2023-2024 Fiscal Year
10. Discuss/Action – Agenda for August 22, 2023

9:15 a.m. Discuss/Action – Candace Meredith/NACO – Nebraska Association of County Official’s Update on activities of the Organization

9:30 a.m. Hearing - Amend the Seward County Zoning Regulations to be consistent with the Seward County Comprehensive Plan

Discuss/Action – Res. - Amend the Seward County Zoning Regulations to be consistent with the Seward County Comprehensive Plan

9:45 a.m. Discuss/Action – Office Space Re-organization for Road Dept., Aging Services, Zoning/Weed Dept. and Veteran’s Service Office

Moved by Zabrocki and seconded by Schmieding to adjourn at 12:31 p.m.

Affirmative Vote: Zabrocki, Schmieding, Hain, Culver Motion Carried

State of Nebraska)  
County of Seward) ss.

I, Sherry Schweitzer, the undersigned County Clerk of Seward County, Nebraska do hereby certify the foregoing minutes are true and are part of the official records of this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 15<sup>th</sup> day of August 2023.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman